



DEPARTMENT OF THE AIR FORCE
AFMC LO/JAZ
2240 B ST., RM. 100
WRIGHT-PATTERSON AFB OH 45433-7109

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MAR 13 2006

OFFICE OF PETITIONS

In re Application of :
Ivan I. Aksenov et al. :
Application No. 10/693,482 : **DECISION ON PETITION**
Filed: October 21, 2003 :
Attorney Docket No. AFD639 :

This is a decision on the petition filed September 21, 2005, under 37 CFR 1.137(f) which is being treated under the unintentional provisions of 37 CFR 1.137(b), to revive the instant nonprovisional application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. § 704. No additional petition fee is required.

Petitioner states that the instant non-provisional application is the subject of an application filed in a foreign country and the U. S. Patent and Trademark Office was unintentionally not notified of this filing within 45 days subsequent to the filing of the subject application in a foreign country. A review of the materials submitted on September 21, 2005 reveals that the actual petition and authorization to charge the petition fee is not included. It appears that the filing was supposed to be 26 pages. While there is a "Statement Regarding Unintentionally Delayed Notification of Foreign Filing" on pages 16-18 of 26, pages 19-26 are missing.

Additionally, petitioner has not provided the exact filing date of the foreign application or a rescission of the non-publication request. Before a proper determination on the merits of the petition can be decided, petitioner must supply the filing date of the foreign application and a rescission of the non-publication request..

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By Fax: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries related to this decision should be directed to the undersigned
Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions